

OFFICIAL PROCEEDINGS OF The Board of Appeals OF THE CITY OF LANSING

Proceedings January 12, 1956

January 12, 1956,
City Hall Annex,
Lansing, Michigan.

The meeting was called to order by the Chairman, Evans Boucher, at 7:30 P.M.

ROLL CALL

Present — Messrs. Boucher, McSherry, Mutz, Obrecht and Taylor—5.

Absent—None.

The minutes of the regular meeting of December 9, 1955, were approved.

The appeal by August H. Hiemon to erect an enclosed front porch beyond set-back line but no further than present open porch, at 716 N. Pennsylvania Avenue, was considered. The petitioner was present. There were no objections.

It was moved by Obrecht, supported by McSherry, that the appeal be granted under (6), Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty and will not adversely affect the adjoining property.

Motion carried.

The appeal by Denstaedt Grocery to erect a shelter addition to the store, on a corner of the lot zoned for parking, at 3630 S. Cedar Street, was considered. The petitioner was present and explained his drawings. There were no objections.

It was moved by Taylor, supported by McSherry, that the appeal be granted under (7), Section 21 of the Lansing Zoning Ordinance, to relieve an unusual practical difficulty which will, at the same time, properly protect surrounding property.

Motion carried.

The appeal by WJIM to erect a swimming pool and pool house approximately 100 feet south of the main building and terrace, on property zoned "A" One Family Residence District and used non-conforming, for a radio and television station, at 2820 E. Saginaw Street, was considered. Mr. Howard Finch represented the petitioner, explained their plans and answered questions of the neighbors. Mr. Converse and Dr. Covert inquired as to the type of

structure and fencing, they were assured that the structure would be in harmony with the present building and that no additional fencing would be erected.

It was moved by McSherry, supported by Mutz, that the appeal be granted under (7), Section 21 of the Lansing Zoning Ordinance, to relieve an unusual practical difficulty which will, at the same time, properly protect surrounding property.

Motion carried.

The appeal by the State Bar of Michigan to erect a building 13 feet from the front property line, which will extend approximately 19 feet beyond established set-back line, at 310 Townsend Street, was considered. The petitioner was present. Attorney Planck explained the plans for the petitioner. There were no objections.

It was moved by Mutz, supported by McSherry, that the appeal be granted under (6), Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty and will not adversely affect the adjoining property.

Motion lost.

It was moved by Obrecht, supported by Mutz, that permission be granted the State Bar of Michigan to erect a building 25 feet from the front property line which will extend approximately 7 feet beyond the established set-back line, under (6), Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty and will not adversely affect the adjoining property.

Motion carried.

A letter from Mr. M. M. Caldwell, Building Commissioner, regarding the interpretation of a lumber storage warehouse, was read and discussed. It was moved by Obrecht, supported by Mutz, that we concur in the ruling of the Building Commissioner that a lumber warehouse must be enclosed on all four sides, and if not so enclosed is to be considered an open storage shed, as part of a lumber yard.

Motion carried.

The meeting adjourned at 8:45 P.M.

VICTOR G. LEYRER,
Secretary.

OFFICIAL PROCEEDINGS OF The Board of Appeals OF THE CITY OF LANSING

Proceedings, February 9, 1956

February 9, 1956,

City Hall Annex,

Lansing, Michigan.

The meeting was called to order by the Vice-Chairman, Lawrence McSherry, at 7:30 P.M.

ROLL CALL

Present—Messrs. McSherry, Mutz, Obrecht, and Taylor—4.

Absent—Mr. Boucher—1.

The minutes of the regular meeting of January 12, 1956, were approved.

The appeal by Kenneth Sanborn to erect an addition to front of house, reducing the front yard from the required 20 feet to 14 feet, at 1350 Lansing Avenue, was considered. The petitioner was present and pointed out that additional room is needed, particularly in his living room which is only 9 feet wide. There were no objections.

It was moved by Obrecht, supported by Mutz, that the appeal be granted under (6), Section 21 of the Lansing Zoning

Ordinance, to relieve a practical difficulty and will not adversely affect the adjoining property.

Motion carried.

The appeal by Dr. L. H. Darling to erect a Doctor's office building to 18 feet of the rear lot line instead of the required 25 feet, at the rear of 601 Townsend Street was considered. The petitioner was present and explained the plan. Dr. Donald Benson, 212 W. Hillsdale Street, objected because of the lack of parking for apartment units and dwellings already in existence in the area, and the inadequate parking facilities which would be provided with the building. He pointed out that the present building at 601 Townsend Street could be rebuilt or replaced with a new Doctor's office building, which would then provide adequate off-street parking in connection with the use of the property.

It was moved by Taylor, supported by Obrecht, that the appeal be not granted because of the inadequate parking facilities in the area.

Motion carried.

The meeting adjourned at 8:15 P.M.

VICTOR G. LEYRER,
Secretary.

OFFICIAL PROCEEDINGS OF The Board of Appeals OF THE CITY OF LANSING

Proceedings March 8, 1956

March 8, 1956,

City Hall Annex,
Lansing, Michigan.

The meeting was called to order by the Chairman, Evans Boucher, at 7:30 P.M.

ROLL CALL

Present—Messrs. Boucher, McSherry, Mutz, Obrecht, and Taylor—5.

Absent—None.

The minutes of the regular meeting of February 9, 1956, were approved.

The appeal by Consumers Power Company to erect a gas regulator station on property zoned "B" One Family Residence District, on the south side of the 800 Block of Tisdale Avenue, was considered.

The petitioner was represented by Mr. W. Morden Smith, Division Engineer.

Mr. Arnold Johnson, 834 Tisdale Avenue, did not object to the building of the gas regulator station but to the condition of the lot.

Mr. Smith explained that the lot in connection with this type of structure is maintained and is not unsightly.

Mrs. Paul Fisher, owner of property at 835 Lincoln Avenue, inquired as to why this particular lot was chosen for this building.

Mr. Smith explained that it was necessary to have this type of station somewhere in this general area, and that some lot would have to be used.

It was moved by Taylor, supported by Obrecht, that the appeal be granted under (4), Section 21 of the Lansing Zoning Ordinance, to permit a public utility to provide adequate service.

Motion carried.

The appeal by H. T. Graham to erect a building to the west property line and

reduce the front along Main Street from 27 feet to 25 feet, and on Washington Avenue from 20 feet to 15 feet, around the southeast corner of Main Street and Washington Avenue, was considered.

Mr. Victor C. Anderson, attorney, represented the petitioner.

Mr. Horowitz, architect, explained the drawings of the proposed building.

Mr. Raymond Campbell, attorney for Mrs. Catherine Smith, owner of property at the southeast corner of Main and Washington, objected to the requests in the appeal on the basis that it would shut off light from his Client's living room and bedroom which are located one foot from the property line.

Mr. Anderson explained that it was his understanding that Mrs. Smith has an option on other property and if such were exercised she would no longer live in this house.

Mr. Romaine Hicks, realtor for Mrs. Smith, substantiated this opinion.

Mr. F. G. Smith of 713 S. Washington Avenue spoke in favor of the appeal, and Miss Bretz, owner of property at 709 S. Washington Avenue stated that she felt that progress should not be delayed by one owner.

Mr. Horowitz explained that if the projection to the west property line were not allowed the number of rooms in the motel would have to be reduced by four, and if the reduction on Washington Avenue were not allowed this also would reduce the number of rooms by four.

After considerable discussion it was moved by Taylor, supported by McSherry, that the appeal be tabled.

Motion carried.

The appeal by Judson Memorial Baptist Church to erect an addition to the front of the present building to 8 feet 6 inches from the front property line, and an addition to the rear of the building 14 feet from the rear property line, which will reduce the front yard from 28 feet 6 inches and

the rear yard from 30 feet required by the Lansing Zoning Ordinance, at 580 Vernon Avenue was considered.

Rev. Miles, Pastor, and Lyle Allen, Board member of the church, explained their need for the proposed additions, and pointed out that it is impractical to make the necessary additions in any other way without tearing down the building.

There were no objections.

It was moved by Mutz, supported by Taylor, that the appeal be granted under (7), Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty due to the present shape and position of the church and still protect the surrounding properties.

Motion carried.

A letter from Thomas G. Sinas, repre-

senting Messrs. Chris and Charles Baryames, regarding the interpretation of the ordinance excluding dyeing and cleaning works employing more than five people from the "F" Commercial District was read. Mr. Sinas contended that the ordinance might not apply because no dyeing works are contemplated in the proposed use of property in "F" Commercial District by Messrs. Baryames.

After considerable discussion as to the interpretation of the word "premises" and the legal authority of the Board of Appeals to make an interpretation in this instance, it was moved by Taylor, supported by Mutz, that the matter be referred to the City Attorney.

Motion carried.

The meeting adjourned at 10:30 P.M.

VICTOR G. LEYRER,
Secretary.

OFFICIAL PROCEEDINGS OF The Board of Appeals OF THE CITY OF LANSING

Proceedings, April 17, 1956

April 17, 1956,
City Hall Annex,
Lansing, Michigan.

The meeting for the public hearing was called to order by the Chairman, Evans Boucher, on April 12, 1956, at 7:30 P.M.

Because of the absence of Messrs. McSherry, Mutz, and Taylor, the meeting was recessed after the hearing until the Special Meeting of April 17, 1956, at 8:30 P.M.

ROLL CALL

Present — Messrs. Boucher, McSherry, Taylor, and Obrecht—(4).

Absent—Mr. Mutz—(1).

The minutes of the regular meeting of March 8, 1956, were approved.

The appeal by Donald C. Perkins to erect an enclosed back porch to 11.35 feet of the back property line, at the Northeast corner of Lenawee and McPherson Streets, was considered. The petitioner notified the Board that he has sold this property.

It was moved by Taylor, supported by Obrecht, that the appeal be not granted since the petitioner has no further interest in the property.

Motion carried.

The appeal by Louis Bressin to convert to a two family dwelling on a lot lacking 472 square feet of the required area for two family use, and the erection of a 20-foot by 12-foot addition at the rear, at 212 N. Holmes Street, was considered. The petitioner was present. There were no objections.

It was moved by Obrecht, supported by McSherry, that the appeal be granted under (7), Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty due to the short lot in this Two Family Residence District occupied by a large house.

Motion carried.

The appeal by LeRoy Sprague to convert an open porch into a vestibule extending 5 feet beyond the established set-back line, but no further than present open porch, at 925 princeton Avenue, was considered. The petitioner was not present. There were no objections.

It was moved by Taylor, supported by McSherry, that the appeal be granted under (6), Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty and will not adversely affect the adjoining property.

Motion carried.

The appeal by Plywood Sales Co. to erect a retail and wholesale business to the west property line, in the 3100 Block of South Pennsylvania Avenue, was considered. Mr. Stanley Clark, 3133 Plymouth Drive, inquired as to the location of the building and the parking. Mr. Gates of the Plywood Sales Co. explained that the building would be almost entirely hidden from the residential area in the Poxson Park Subd. by the embankment of the overpass over the Michigan Central Railroad. There were no objections.

It was moved by McSherry, supported by Obrecht, that the appeal be granted under (6), Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty due to the irregular shape of the lot, and will not adversely affect the residential properties in the area.

Motion carried.

The appeal by Collie and Clara Hackney to erect an addition to the rear of the present building, extending to 15 feet from the rear property line, at 811 Vance Street, was considered. The petitioner was present. There were no objections.

It was moved by McSherry, supported by Obrecht, that the appeal by Collie and Clara Hackney be granted under (6), Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty due to the short lots in this area.

Motion carried.

The appeal by P. H. Van Lopik to erect an addition to the front of the present building, extending 2 feet beyond the established set-back line, at 1821 Pattengill Avenue, was considered. The petitioner was present and explained the need for this addition due to the small size of the present living room.

It was moved by McSherry, supported by Taylor, that the appeal be granted under (6), Section 21 of the Lansing Zoning Ordinance, to relieve a hardship due to an inadequate size living room, and will not adversely affect the surrounding properties.

Motion carried.

The appeal by Harold Houghtaling to erect a glass enclosed front porch extending 4 feet beyond the established set-back line, but no further than present open porch, at 920 Porter Street, was considered. The petitioner was not present. There were no objections.

It was moved by Obrecht, supported by Taylor, that the appeal be granted under (6), Section 21 of the Lansing Zoning Ordinance, because it would be an improvement of the property and would not adversely affect the neighborhood.

Motion carried.

The appeal by John Doyle to erect a garage an breezeway, reducing the west side yard from the required 7 feet to 4.7 feet, at 1622 Victor Avenue, was considered. The petitioner was present. There were no objections.

It was moved by Taylor, supported by McSherry, that the appeal be granted under (6), Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty and permit construction of an attached garage which will not adversely affect the adjoining properties.

Motion carried.

The appeal by H. T. Graham to erect a building for use as a motel, to the east property line, leaving no side yard, at the Southeast corner of Main Street and Washington Avenue, was considered. Mr. Oscar Hajos, 1115 N. Capitol Avenue, owner of the adjoining property appeared to protest the erection of a building on the property line which would be 10 feet from his building. He stated that he hoped in the future to erect a 13 family apartment unit on his property. Mr. Victor Anderson, attorney for Mr. Graham, stated that the building would probably not be more than two stories in height due to high building costs.

It was moved by Taylor, supported by McSherry that the appeal be granted under (6), Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty by permitting the erection of a motel to a size which would be economically feasible and which could meet all other yard requirements.

Motion carried.

It was moved by Obrecht, supported by Taylor, that the tabled appeal by H. T. Graham to erect a building for use as a motel, to the west property line and reduce the front yard on Main Street from 27 feet to 25 feet, and on Washington Avenue from 20 feet to 15 feet, at the Southeast corner of Main Street and Washington Avenue, be taken from the table.

Motion carried.

It was then moved by Taylor, supported by Obrecht, that this appeal be not granted because there is no further use for it.

Motion carried.

The meeting adjourned at 9:20 P.M.

VICTOR G. LEYRER,
Secretary.

OFFICIAL PROCEEDINGS OF The Board of Appeals OF THE CITY OF LANSING

Proceedings, May 10, 1956

May 10, 1956,

City Hall Annex,
Lansing, Michigan.

The meeting was called to order by the Chairman, Evans Boucher, at 7:30 P.M.

ROLL CALL

Present — Messrs. Boucher, McSherry, Mutz, and Obrecht—(4).

Absent—Mr. Taylor—(1).

The minutes of the regular meeting of April 17, 1956, were approved.

It was moved by Obrecht, supported by Mutz, that Mr. McSherry be elected Chairman for the next year.

Motion carried.

It was moved by McSherry, supported by Obrecht, that Mr. Mutz be elected Vice-Chairman for the next year.

Motion carried.

The appeal by L. R. Main to convert an open front porch into an enclosed front porch extending beyond the established setback line, but no further than present open porch, at 1401 New York Avenue, was considered. The petitioner was not present. There were no objections.

It was moved by Obrecht, supported by Mutz, that the appeal be granted under (6), Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

The appeal by Gates Lumber Co. to erect a storage garage to 25 feet from the south and west property line, and add to present warehouse to the south property line, on property which is zoned residential and used non-conforming light industrially, in the 1900 block of Lyons Avenue, was considered. The petitioner was present and stated that the growth of his business has made it necessary to add additional storage space. He also stated that the original warehouse was built in 1926 and that additions were built in 1928 and in 1932, during the time this property was industrially zoned, and that further additions were built in 1942 and in 1945 by permission of previous Boards of Appeals.

A petition of protest, signed by thirty-four people, was filed with the Board.

Mr. Frank Perrin, 2016 Lyons Avenue, stated that in his opinion the petitioner is not able to show a hardship to warrant the granting of this appeal, and that the vacant area has been withheld from the housing market and could be residentially developed. He believes that the industry has been detrimental to the neighborhood and that the preservation of the residential property is and has been more important to the city than this industry. He also stated that expansion of this industry had been permitted on four previous occasions, also that many of the homes in the area were constructed between 1925 and 1929, prior to the time that this industry was developed to its present size. Mr. Perrin asked that the Board deny the appeal stating that he built his home recognizing that the industry was located in its present location, but as a non-conforming use which could be expected to be eliminated at some future date, and that he expects to be protected by the zoning laws of the city since he made his investment in an area zoned as a single family residential district, which would be jeopardized by some of the light industrial uses which might be made of the non-conforming property if permitted to expand.

Mr. and Mrs. Vaughn Countryman, 2110 Lyons Avenue, Don Wilcox, 1922 Lyons Avenue, Lester Larson, 1912 Lyons Avenue, and Suel Anderson, 2009 Lyons Avenue, all stated that Mr. Perrin had expressed their opinion.

After considerable discussion of the appeal, it was moved by Mutz, supported by McSherry, that the appeal to add 25 feet to the present warehouse, extending it to the south property line, be granted under (7), Section 21 of the Lansing Zoning Ordinance, to permit additional necessary storage space which will not add to the adverse impact of the non-conforming use on the surrounding property, and that the appeal to erect a storage garage to 25 feet from the west property line be tabled.

Motion carried.

The appeal by Joseph Calentino to erect an addition to 7 feet from the rear property line at 909 W. Saginaw Street, was considered. The petitioner was present and explained that this addition is necessary for storage space and would replace only one parking space. There were no objections.

It was moved by Obrecht, supported by McSherry, that the appeal be granted under (6), Section 21 of the Lansing Zoning Ordinance, to permit the necessary expansion of the business building on a lot considerably shorter than other business lots in the area.

Motion carried.

The appeal by Clyde C. Randall to erect a building to within 19 feet of the rear property line on the vacant lot north of 418 Westmoreland Avenue, was considered. The petitioner was present. The survey of the lot was shown to show that the lot is narrower at the rear than at the front. There were no objections.

It was moved by Mutz, supported by Obrecht, that the appeal be granted under (6), section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty due to the irregular shape of the lot.

Motion carried.

The appeal by William J. Hayes to erect an enclosed front porch extending beyond the established set-back line, but no further than present open porch, at 1213 Maryland Avenue, was considered. The petitioner was present. There were no objections.

It was moved by Obrecht, supported by Mutz, that the appeal be granted under (6), Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

The appeal by Charles Adams to erect an enclosed front porch extending beyond the established set-back line, but no further than present open porch, at 1810 Herbert Street, was considered. Mr. Adams was represented by his builder. There were no objections.

It was moved by Obrecht, supported by Mutz, that the appeal be granted under (6), Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

The secretary read a letter from Don J. Busley, Assistant Building Commissioner, asking for the opinion of the Board of Appeals as to whether or not two separate buildings for single family occupancy, joined together by a roof or breezeway, without the connecting walls, located on the same lot, could be considered as a two family dwelling under the terms of the Lansing Zoning Ordinance and in accordance with the spirit of the Ordinance. After examining the ordinance as it would apply to two family dwellings, it was suggested that the secretary confer with the City Attorney on this matter.

It was moved by Obrecht, supported by Mutz, that the matter be tabled.

Motion carried.

The secretary reported that Mayor Crego had asked him to ask for an informal opinion from the Board of Appeals on the reduction in the required lot area for a house to be built on the west side of the south end of the proposed extension of Roselawn Avenue, north of Greenwood, which would permit the use of this land and would secure the cooperation of the owner of the land at the present north end of Roselawn Avenue, in obtaining a 50-foot right of way to Muskegon Avenue for street purposes, to make considerable additional property to the north available for residential development. It was the consensus of opinion of the Board that the extension of this street was a desirable thing and good planning, and that they would look favorably upon a variance in yard space or lot area to accomplish the overall program.

The meeting adjourned at 9:15 P.M.

VICTOR G. LEYRER,
Secretary.

OFFICIAL PROCEEDINGS OF The Board of Appeals OF THE CITY OF LANSING

Proceedings June 14, 1956

June 14, 1956,

City Hall Annex,
Lansing, Michigan.

The meeting was called to order by the Chairman, Lawrence E. McSherry, at 7:30 P.M.

ROLL CALL

Present — Messrs. Boucher, McSherry, Mutz, Obrecht and Taylor—(5).

Absent—None.

The appeal by Potter Park Methodist Church to erect an addition to the church 6 feet 8 inches into the rear yard of parsonage which requires a 25 feet rear yard at 1001 Dakin Street was considered. The petitioner was present and explained the plans for the addition to the church. There were no objections.

It was moved and supported that the appeal be granted under (6), Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty and permit the necessary expansion of the existing church.

Motion carried.

The appeal by Ruth and Emory Fizzell to erect a vestibule to front of building extending 6 feet beyond established set-back line, but no further than present open porch, at 2412 Sterling Street was considered. The petitioner was present. There were no objections.

It was moved and supported that the appeal be granted under (6), Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

The appeal by Gladys I. Williams to erect a vestibule to front of house extending 7 feet beyond established set-back line but no further than present open porch,

at 1112 Dakin Street was considered. The petitioner was represented by Arthur Warner, 310 Haag Street, of Capitol Home Improvement Corp., who stated that the present front porch would be removed. There were no objections.

It was moved and supported that the appeal be granted under (6), Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

The appeal by William Matthews to erect an addition to present building extending to 25 feet from rear property line, at 1527 Roselawn Avenue was considered. The petitioner was present and pointed out the need for adding bedroom space. There were no objections.

It was moved and supported that the appeal be granted under (6), Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty by providing necessary bedroom addition.

Motion carried.

The appeal by Sophia F. Tompkins to erect an addition to present building extending to 20 feet from the rear property line, at 922 May Street was considered. The petitioner was present and stated that his house has only one bedroom and that an additional bedroom is needed. There were no objections.

It was moved and supported that the appeal be granted under (6), Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty by providing necessary bedroom addition.

Motion carried.

The appeal by Mrs. John V. McIntyre to convert an open front porch into an enclosed front porch extending beyond established set-back line, but no further than present open porch, at 117 S. Fairview Avenue was considered. The petitioner was present. There were no objections.

It was moved and supported that the appeal be granted under (6), Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

The appeal by Olive M. Ravens to convert an open front porch into an enclosed front porch extending beyond established set-back line, but no further than present open porch, at 501 S. Pennsylvania Avenue was considered. The petitioner was present. There were no objections.

It was moved and supported that the appeal be granted under (6), Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

The appeal by Robert J. Fisher to erect a vestibule to front of present building extending beyond the established set-back line, but no further than present open porch at 814 Summerville Avenue was considered. The petitioner was present and stated that the present front porch would be removed. There were no objections.

It was moved and supported that the appeal be granted under (6), Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

The appeal by Garold E. McCaslin to erect an enclosed front porch extending beyond the established set-back line, but no further than present open porch at 330 Potter Avenue was considered. The petitioner was present. There were no objections.

It was moved and supported that the appeal be granted under (6), Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

The appeal by Oscar Russell to erect a glass enclosed front porch 5 feet beyond established set-back line at 1324 W. Mt. Hope Avenue was considered. The petitioner was present and stated he expected his builder to submit plans. There were no objections.

It was moved and supported that the appeal be granted under (6), Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties subject to the approval of the plans for the addition by Mr. Mutz.

Motion carried.

It was moved and supported that the tabled appeal for the erection of a storage

garage to 25 feet from the South and West property line on residentially zoned property now used non-conforming in the 1900 Block Lyons Avenue be taken from the table.

Motion carried.

After considerable discussion regarding the method of most adequately protecting the surrounding residential properties it was moved and supported that the appeal be granted under (7), Section 21 of the Lansing Zoning Ordinance to relieve a hardship by permitting the construction of a building for the storage of trucks used in connection with a present non-conforming use, subject to provision and maintenance of a dense evergreen hedge 20 feet from the property line.

Motion carried.

A letter from Attorney Sidwell to whom was referred a letter from the Assistant Building Commissioner regarding the opinion of the Board of Appeals in connection with the request for a building permit for a building, plans of which show two separate one family units connected with a covered open breezeway, both units having a common foundation and roof was read. It was the opinion of the Attorney that this proposed structure while constituting two separate elements or dwellings, is under a single and interdependent roof, on a continuous and interlocking foundation, and connected with a single and interdependent breezeway, and, therefore, might be, under the wording of the ordinance, more reasonably deemed to be a two family dwelling, than two independent one family dwelling.

It was moved and supported that we concur in the opinion of the acting City Attorney George Sidwell and that the Building Commissioner be so notified.

Motion carried.

A letter from George R. Sidwell, acting City Attorney, to whom was referred the letter from Thomas G. Sinas, Attorney for Messrs. Chris and Charles Baryames, regarding his interpretation of Item 9 of Section 8 of the Lansing Zoning Ordinance was read. Mr. Sidwell stated that, while the courts might go either way, that in his opinion five people could be employed in the cleaning works, irrespective of the number of people employed in the office or sales portion of a dyeing or cleaning works in an "F" Commercial District.

It was moved and supported that a copy of the letter from Attorney Sidwell be forwarded to Attorney Thomas G. Sinas.

Motion carried.

The meeting adjourned at 8:55 P.M.

VICTOR G. LEYRER,
Secretary.

OFFICIAL PROCEEDINGS OF The Board of Appeals OF THE CITY OF LANSING

Proceedings July 12, 1956

July 12, 1956,
City Hall Annex,
Lansing, Michigan.

The meeting was called to order by the Chairman, Lawrence E. McSherry, at 7:30 P.M.

ROLL CALL

Present — Messrs. Boucher, McSherry, Mutz, Obrecht and Taylor—5.

Absent—None.

The minutes of the meetings of May 10, 1956 and June 14, 1956 were approved.

A letter from Frank W. Perrin regarding Appeal No. 709 by Gates Lumber Company and copy of the letter from the City Attorney to the City Council regarding the same appeal were read.

After some discussion, it was moved by Obrecht, supported by Mutz that the communications be received and placed on file.

Motion carried.

Chairman McSherry asked Vice-Chairman Boucher to act as chairman for the balance of the meeting.

The appeal by Malvin Simon to erect an enclosed front porch beyond the established set-back line, but no further than present open porch at 1815 Williams Street was considered. The petitioner was present. There were no objections.

It was moved by Mutz, supported by Taylor, that the appeal be granted under (7) Section 21 of the Lansing Zoning Ordinance to relieve a practical difficulty in harmony with the general purpose and intent of the Ordinance and it will not adversely effect the adjoining properties.

Motion carried.

The appeal by the Lansing Broadcasting Company to erect a two car garage in connection with radio towers in non-conforming use east of Lowcroft and Fenton Streets was considered. The petitioner was not present. There were no objections.

It was moved by Taylor, supported by Obrecht, that the appeal be tabled since the petitioner has a petition before the City Plan Commission to rezone this property.

Motion carried.

The appeal by Mrs. Lucille Coddington to convert a two car garage to living unit reducing the rear yard area from 25 feet to 17.3 feet at 925 Baker Street was considered. The petitioner was present and stated that she expects to improve the property if the appeal is granted.

Mr. John Link, 919 Baker Street, presented a petition of protest to the granting of this appeal, signed by four property owners in the area and stated that the conversion of a garage for use as living quarters would be detrimental to and evaluate the surrounding properties.

Mr. Don Terwilliger, 912 Baker Street, stated that a building permit had been obtained to build a two car garage and was immediately used as a dwelling by the petitioner.

It was moved by Obrecht, supported by Taylor, that the appeal be denied because the building would not be in harmony with the neighborhood and because of neighborhood objection.

Motion carried.

The appeal by Jerry Bowie to erect an enclosed front porch beyond the established set-back line but no further than present open porch at 1416 W. Main Street was considered. The petitioner was present. There were no objections.

It was moved by Taylor, supported by Mutz, that the appeal be granted under (7) Section 21 of the Lansing Zoning Ordinance to relieve a practical difficulty in

harmony with the general purpose and intent of the Ordinance and it will not adversely effect the adjoining properties.

Motion carried.

The appeal by Mrs. F. Carpenter to erect a glass enclosed front porch beyond established set-back line but no further than present open porch at 2122 Forest Avenue was considered. The petitioner was present. There were no objections.

It was moved by Mutz, supported by Taylor, that the appeal be granted under (7) Section 21 of the Lansing Zoning Ordinance to relieve a practical difficulty in harmony with the general purpose and intent of the Ordinance and it will not adversely effect the adjoining properties.

Motion carried.

The appeal by Mrs. Jennie Voorheis to erect a glass enclosed front porch extending beyond the established set-back line but no further than present open porch at 2121 Forest Avenue was considered. The petitioner was present. There were no objections.

It was moved by Obrecht, supported by McSherry, that the appeal be granted under

(7) Section 21 of the Lansing Zoning Ordinance to relieve a practical difficulty in harmony with the general purpose and intent of the Ordinance and it will not adversely effect the adjoining properties.

Motion carried.

The appeal by Marshall Wright to erect a garage and breezeway beyond the established set-back line from 35 feet 5 inches to 29 feet 11 inches from the property line and from 8 feet to 7 feet 4 inches from the side line at 2115 Cooper Avenue was considered. The petitioner was present. There were no objections.

It was moved by Mutz, supported by Obrecht that the appeal be granted under (7) Section 21 of the Lansing Zoning Ordinance to relieve a practical difficulty due to the size of the lot and the unusual set-back line in this area, in harmony with the general purpose and intent of the Ordinance and at the same time the surrounding property will be properly protected.

Motion carried.

The meeting adjourned at 8:50 P.M.

VICTOR G. LEYRER,
Secretary.

OFFICIAL PROCEEDINGS OF The Board of Appeals OF THE CITY OF LANSING

Proceedings August 13, 1956

August 13, 1956,

City Hall Annex,

Lansing, Michigan.

The meeting for the public hearing was called to order by the acting Chairman, Evans Boucher, on August 9, 1956, at 7:30 P.M.

Because of the absence of Messrs. McSherry and Taylor the meeting was recessed after the hearing until the Special Meeting of August 13, 1956, at 4:00 P.M.

ROLL CALL

Present — Messrs. Boucher, McSherry, Mutz, Obrecht and Taylor—(5).

Absent—None.

The minutes of the regular meeting of July 12, 1956, were approved.

The appeal by Joseph Kutchey to remodel the front of building at 2911-17 S. Washington Avenue, now used non-forming, was considered. The petitioner was present and stated that in order to get a desirable tenant in his building, it is necessary to remodel the front of the building. He stated that the front will be of brick construction along the entire front of the building. He also stated that previous construction of improvement authorized by the Board of Appeals to make the property usable has been done as a part of an overall improvement program. There were no objections.

It was moved by Obrecht, supported by Mutz that the appeal be granted under (7), Section 21 of the Lansing Zoning Ordinance to relieve a practical difficulty by permitting the property to be made more usable and at the same time protect the surrounding property, provided the area between the curb and building on all street frontages be hard surfaced, the depth of which to be approved by the Building Commissioner.

Motion carried.

The appeal by J. J. Bunker to erect an enclosed front porch extending beyond the established set-back line but no further than present open porch at 806 N. Capitol Avenue was considered. There were no objections.

It was moved by Taylor, supported by Obrecht that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

The appeal by Theodore Spector to enclose a breezeway connecting to building 3 feet 11 inches from rear property line reducing the rear yard space from 25 feet to 3 feet 11 inches at 1015 E. Saginaw Street was considered. The petitioner was present and pointed out that additional room for display area for the drapery shop is needed and is already covered by a roof adding no further building to the property. There were no objections.

It was moved by Mutz, supported by Boucher that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance to relieve a hardship by permitting the enclosure between the two present buildings without changing their location.

Motion carried.

The appeal by Mrs. Wm. Beasley to erect a garage for a truck storage in connection with present industrial non-conforming use at 1420 and 1422 Vermont Avenue was considered. Mr. C. H. Rich representing the lessees stated that the proposed building would be used for packaging and storing of merchandise and that the balance of the property has been used for this type of business for the past four years. Also, that the use of this property prior to that time had been used one year for electrical business, three years as a contractor's business and for some years as an upholstering shop before that. Mr. Richard Schubel representing the property owners in the area stated that it is the

feeling of the neighboring property owners that new construction should not be permitted in this residential area since it will set a precedent in the area. He also cited the frequent change in tenants on this property as an indication that there is no stability as to its use. He presented a petition signed by thirty-nine residents or property owners of the area protesting the granting of this appeal.

It was moved by Obrecht, supported by Mutz that the appeal be not granted because of neighborhood objection and because the granting of the appeal would not properly protect the neighborhood and would not conform to the present zoning plan.

Motion carried.

The appeal by Sam Rassizi to erect two additional bedrooms to within 3 feet of the property line reducing the required side yard from 5 feet to 3 feet was considered. The petitioner was present pointing out the need for extra bedrooms for his family of five children since there are only two bedrooms in the house and also pointing out that the addition cannot be made to the rear of the house. There were no objections.

It was moved by Taylor, supported by Mutz that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance, to relieve a hardship by providing adequate room for a family.

Motion carried.

The appeal by Jacob Lang to erect an enclosed front porch extending beyond the established set-back line but no further than present open porch at 913 W. Lapeer was considered. The petitioner was present. There were no objections.

It was moved by Taylor, supported by Obrecht that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties..

Motion carried.

The appeal by Clare Edwins to erect a new house reducing the W. side yard from required 25 feet to 19 feet was considered. The petitioner was present and explained that to comply with the present ordinance would require that some trees would need to be cut on the property or a different type of home would need to be built facing on a street which is not developed and probably will not be developed since it has no destination. There were no objections.

It was moved by Taylor, supported by Obrecht that the appeal be not granted.

Motion lost.

It was then moved by Mutz, supported by Boucher, that the appeal be granted under (6), Section 21 of the Lansing Zoning Ordinance to permit facing the proposed house on an established street since Creston Avenue in this area has no destination and may not be improved.

Motion carried.

The appeal by Mrs. F. Nowaczyk to erect a glass enclosed front porch beyond established set-back line but no further than present open porch, at 1411 Vermont Street was considered. The petitioner was present. There were no objections.

It was moved by Obrecht, supported by Taylor that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

The appeal by Grace Hirschman to erect a glass enclosed porch reducing side yard from 25 feet to 21 feet at 420 S. Holmes Street was considered. The petitioner was present. There were no objections.

It was moved by Obrecht, supported by Taylor that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

Waiver of the ten day notice and of objections signed by all property owners within 300 feet of 615 E. Thomas Street was read. The opinion of Joseph Lavey, City Attorney, stating that the Board of Appeals may proceed to hear an appeal and make a decision upon receipt of the above waivers was also read. The appeal by Earl Nihart to erect a gasoline station to 2 feet from the rear property line reducing the required rear yard space from 25 feet to 2 feet at 615 E. Thomas Street was then considered. The petitioner was present and explained that this property zoned for a gasoline station could not be used for such purpose if the rear yard requirement were enforced. It was also pointed out that the adjoining property to the rear is commercially zoned. There were no objections.

It was moved by Mutz, supported by Obrecht that pursuant to the letter from the City Attorney dated August 13, 1956, regarding the authority of the Board of Appeals to act on this case without having given ten days notice the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance to relieve a hardship due to the shape of the lot which places the rear yard requirement from the North property line.

Motion carried.

The secretary read a letter from Herbert R. Riley regarding a newly created lot along the West side of Roselawn Street extending being declared a building lot.

It was suggested that Mr. Riley be advised to advise any prospective purchaser of this lot for building purposes to file an appeal with the Board of Appeals for a reduction in yard area.

The secretary also read a letter from Mr. Lynn A. Kosht, Business Manager, Lansing Board of Education, regarding the use of a lot on the East side of Woodlawn Avenue at Moores River Drive across

from Moores Park School for parking purposes.

It was moved by Obrecht, supported by Mutz that the secretary be instructed to get a written opinion from the City Attorney as to whether or not the Board of Appeals would have jurisdiction in this case.

Motion carried.

The meeting adjourned at 5:40 P.M.

VICTOR G. LEYRER,
Secretary.

OFFICIAL PROCEEDINGS OF The Board of Appeals OF THE CITY OF LANSING

Proceedings, Sept. 13, 1956

September 13, 1956,
City Hall Annex,
Lansing, Michigan.

The meeting was called to order by the Chairman, Lawrence E. McSherry, at 7:30 P.M.

ROLL CALL

Present—Messrs. Boucher, McSherry, Mutz, and Taylor—(4).

Absent—Mr. Obrecht—(1).

The minutes of the regular meeting of August 13, 1956 were approved.

An appeal by William Grew to erect a vestibule on front of house 4 feet beyond the established set-back line at 515 N. Butler Blvd., was considered. The petitioner was present. There were no objections.

It was moved by Boucher, supported by Taylor, that the Appeal be granted under (7) Section 21 of the Lansing Zoning Ordinance to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

An appeal by Myron M. Griffin to erect an enclosed front porch beyond established set-back line but no further than present open porch at 2018 Ray Street was considered. The petitioner was present. There were no objections.

It was moved by Boucher, supported by Mutz that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

An appeal by Bernice H. Hause to erect a garage on vacant lot closer than 60 feet from front lot line next to 1212 Kingsley Ct. was considered. The petitioner was present.

Mr. Dale McCauley spoke in favor of the appeal stating that he felt the garage would help to clean up the lot.

Mrs. DuBois at 1207 Kingsley Ct. objected because the lot is being used for the storage of junk and in her opinion the building would be used for the same purpose.

Mr. Hineline at 1215 W. Washtenaw Street objected to a Commercial garage on this residentially zoned lot.

Mrs. Robinson at 828 Everett Drive expressed her belief that the Ordinance should be enforced.

Petitions of protest, signed by twenty-three residents and taxpayers were filed with the Board.

It was moved by Mutz, supported by Taylor, that the appeal be not granted because of neighborhood objection.

Motion carried.

An appeal by Mrs. Clara Shaw to erect an enclosed front porch beyond established set-back line but not further than present open porch at 128 Leslie Street was considered. The petitioner was present. There were no objections.

It was moved by Boucher, supported by Taylor, that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

An appeal by Noel K. Jepson to erect an attached garage to 6 inches from south side line at 508 Fulton Place was considered. The petitioner was present and stated that the shape of the lot in addition to necessitating cutting down trees makes it im-

practical to build a garage in their yard. There were no objections.

It was moved by Boucher, supported by Mutz, that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance due to irregular shape of lot.

Motion carried.

An appeal by Lynn Niles to erect an addition to front of store to reduce setback from 20 feet to 10 feet at 1217 E. Grand River Avenue was considered. The petitioner was present stating that he needs additional room and that a store front 10 feet back of the adjoining store would cause a particular hardship.

The owner of the adjoining store objected.

It was moved by Taylor, supported by Mutz, that the appeal be granted under (7) Section 21 of the Lansing Zoning Ordinance to relieve a particular hardship due to the position of the adjoining store.

Motion carried.

The appeal by the Standard Oil Co. to erect a gasoline filling station to 4 feet of South line and 20 feet from east line at the S.E. corner of W. Grand River Avenue and Seymour Avenue was considered.

Mr. Palizzi representing the Standard Oil Company stated that the property will be unusable for their purposes within the requirements of the Ordinance.

Mrs. Vine, 219 W. Grand River Avenue objected to the granting of the appeal on the basis that the use of the adjoining property for gasoline station purposes would not leave sufficient room for her to use her driveway.

Mr. M. Graham, 207 W. Grand River Avenue inquired as to the plans of the petitioner and stated that he is making a general objection.

It was moved by Taylor, supported by Boucher, that the appeal be tabled to permit negotiations between the petitioner and the adjoining property owner.

Motion carried.

The appeal by Frank Dominik, Sr., to erect a glass enclosed front porch beyond established set-back line but no further than present open porch at 1829 Beal Avenue was considered. The petitioner was present. There were no objections.

It was moved by Boucher, supported by Mutz, that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

The appeal by Lloyd Miser to erect a vestibule reducing front yard from 21 feet to 15 feet at 1429 Vine Street was considered. The petitioner was present. There were no objections.

It was moved by Boucher, supported by Taylor, that the appeal be granted under (7) Section 21 of the Lansing Zoning Ordinance to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

The appeal by Ernest Bishop to erect an enclosed front porch beyond established set-back line but no further than present open porch at 2205 Clifton Avenue was considered. The petitioner was not present. There were no objections.

It was moved by Mutz, supported by Taylor, that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

The appeal by Ione Willis to erect a porch on front of house reducing front yard space from 21 feet 8 inches to 13 feet 8 inches but not to extend beyond set-back of house to west, at 204 E. Denver Street was considered. The petitioner was present and explained that it is his intention to remove the present small porch and erect a usable enclosed porch to provide more room for the home. There were no objections.

It was moved by Taylor, supported by Mutz, that the appeal be granted under (7) Section 21 of the Lansing Zoning Ordinance to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

The appeal by William T. Smith to erect an enclosed front porch beyond established set-back line but no further than present open porch for use as a bedroom at 500 W. Grand River Avenue was considered. The petitioner was present and explained that bedroom space is needed as three children now occupy one bedroom.

Written objection was filed by Lee E. Cahill, 621 E. Grand River Avenue, stating that the enclosure would obstruct the view from his property at 1207 N. Chestnut Street. It was pointed out that this enclosure cannot be seen from 1207 N. Chestnut Street.

It was moved by Taylor, supported by Mutz, that the appeal be granted under (7) Section 21 of the Lansing Zoning

Ordinance to relieve a practical difficulty and provide adequate bedroom space and will not adversely affect the adjoining property.

Motion carried.

The appeal by Lindell D. Hale to erect an enclosed front porch beyond set-back line but no further than present open porch to add the area to the living room at 1523 Boston Blvd. was considered. The petitioner was present and stated that this area is necessary for adequate size living room. There were no objections.

It was moved by Mutz, supported by Boucher, that the appeal be granted under (7) Section 21 of the Lansing Zoning Ordinance to relieve a practical difficulty and provide adequate living space without adversely affecting the adjoining properties.

Motion carried.

The secretary read a letter from the City Attorney advising the Board that in his opinion under Sub. Section 4 of the Sec-

tion on jurisdiction of the Board of Appeals, authority may be found for the Board of Appeals to consider the appeal by the Lansing Board of Education regarding the use of a lot facing on Moores River Drive on the East side of Woodlawn Avenue across from Moores Park School for a teacher's parking lot, on the basis that the physical plant and premises necessary to accomplish the education of the young may be considered a public utility.

After some discussion, it was moved by Boucher, supported by Taylor, that the Secretary be instructed to write a letter to Mr. Kosht of the Lansing Board of Education informing him that the City Attorney has interpreted school property, in his letter of September 7, 1956, as analogous to a public utility and suggest that he request the City Council to give the School Board a special permit to use this property for teacher's parking purposes.

Motion carried.

The meeting adjourned at 8:52 P.M.

VICTOR G. LEYRER,
Secretary.

OFFICIAL PROCEEDINGS OF The Board of Appeals OF THE CITY OF LANSING

Proceedings, Oct. 22, 1956

October 22, 1956,
Lansing, Michigan.

The meeting for the public hearing was called to order by Evans Boucher, acting for vice-chairman Mutz, on October 11, 1956, at 7:30 P.M.

Because of the absence of Messrs. McSherry, Obrecht and Taylor, the meeting was recessed after the hearing until the Special Meeting of October 22, 1956, at 4:00 P.M.

ROLL CALL

Present—Messrs. Boucher, Mutz, Obrecht and Taylor—(4).

Absent—Mr. McSherry—(1).

The minutes of the regular meeting of September 18, 1956 were approved.

An appeal by E. Blanche Wood to convert to a two family residence on property lacking 640 sq. ft. of the required 4,000 sq. ft. for a two family residence at 312 N. Holmes Street was considered. The petitioner was present. There were no objections.

It was moved by Obrecht, supported by Taylor, that the appeal be not granted because there is inadequate yard space and the request is not in harmony with good planning.

Motion carried.

An appeal by Travis Freeman to erect an enclosed front porch beyond established set-back line but no further than present open porch at 224 Westmoreland Avenue was considered. The petitioner was not present. There were no objections.

It was moved by Taylor, supported by Boucher, that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

An appeal by Estes-Leadley Company to erect an addition to the West side of their property where the ordinance requires a 16½-foot set-back at 325 W. Washtenaw Street was considered. The petitioner was present and stated that he had consulted his neighbors, all of whom were agreeable to the extension. It was pointed out that cross corner vision would be obstructed if the addition were built.

It was moved by Taylor, supported by Boucher, that the appeal be not granted because the request is not in harmony with the intent of the zoning ordinance.

Motion carried.

An appeal by A. C. Crosby to erect an enclosed porch beyond established set-back line but not further than present open porch at 505 Fulton Place was considered. The petitioner was present. There were no objections.

It was moved by Obrecht, supported by Taylor, that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

An appeal by M. J. Paepke to erect an enclosed front porch extending beyond established set-back line but no further than present open porch at 2309 Harding Avenue was considered. The petitioner was present. There were no objections.

It was moved by Boucher, supported by Obrecht that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

An appeal by Lucille H. Nelson to erect an enclosed front porch beyond established set-back line but no further than present open porch at 504 N. Walnut Street was

considered. The petitioner was not present. There were no objections.

It was moved by Taylor, supported by Boucher, that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

An appeal by the State Bar of Michigan to erect a building 25 feet from front property line extending approximately 7 feet beyond the established set-back line at 302-10 Townsend Street, was considered. The petitioner was represented by Attorney Joseph Planck. There were no objections. It was pointed out that an appeal for this reduction in front yard area was granted in January of 1956 but building permit was not applied for within a 6 months period thus making it necessary to file another appeal.

It was moved by Obrecht, supported by Boucher that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

An appeal by Derwood L. Boyd to erect an addition to front of building reducing the set-back line to 3 feet and replace present garage in rear side yard to the side and rear lot lines, the ordinance requiring 10 per cent of the lot width for side yard and a 25-foot rear yard, at 116 W. Lapeer Street was considered. The petitioner was present. There were no objections. The petitioner expressed a desire to reduce the front yard area to the property line and was advised that another hearing would need to be held before consideration could be given to the amended request. The petitioner stated that he has no immediate plans to add to the front of the building.

It was moved by Boucher, supported by Taylor, that the appeal be granted to replace the present garage in the rear side yard to the side and rear lot lines under (6) Section 21 of the Lansing Zoning Ordinance to relieve a practical difficulty due to the small size of the lot and that the request for a reduction of the set-back line to 3 feet be not granted because it would not serve the purpose of the petitioner.

Motion carried.

An appeal by Merrill Spurback to erect a glass enclosed front porch beyond established set-back line but no further than present open porch at 1518 Roosevelt Street was considered. The petitioner was present. There were no objections.

It was moved by Boucher, supported by Taylor, that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

An appeal by Kathryn Sprague to erect an enclosed front porch beyond established set-back line but no further than present open porch at 214 Horton Street was considered. The petitioner was not present. There were no objections.

It was moved by Taylor, supported by Obrecht, that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

The meeting adjourned at 4:55 P.M.

VICTOR G. LEYRER,
Secretary.

OFFICIAL PROCEEDINGS OF The Board of Appeals OF THE CITY OF LANSING

Proceedings, November 8, 1956

November 8, 1956

City Hall Annex

Lansing, Michigan

The meeting was called to order by the Chairman, Lawrence E. McSherry, at 7:30 P.M.

ROLL CALL

Present—Messrs. Boucher, McSherry,
Mutz and Obrecht—4.

Absent—Mr. Taylor—1.

The minutes of the regular meeting of October 22, 1956, were approved.

An Appeal by Raymond and Marie Nunn to erect a vestibule beyond setback line but 4 feet less than present open porch at 921 Princeton was considered. The petitioner was present. There were no objections. It was moved by Obrecht, supported by Mutz, that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

An Appeal by the School District of the City of Lansing to erect an addition to Walter French Junior High Schol to 18½ feet of the west property line, the ordinance requiring a 45-foot side yard at the S.W. corner of Mt. Hope and S. Cedar Street was considered. Mr. Lynn Kosht, Business Manager, and Mr. Clark Harris, Architect for the Board of Education were present and explained their drawings stating that it was necessary to build in this location because the boiler room, utilities and openings for coal storage are all located at the west end of the present building which would present considerable difficulty and additional cost to connect to any extension of their building in any other direction. Mrs. Doctor Randall, 210 E. Mt. Hope Ave., objected to the granting of the appeal on the basis that it would adversely

affect her property values in as much as it cuts off vision along Mt. Hope Ave. due to being too close to the property line and extending too close toward the street. Mrs. James Bennigan, #2 Teel Court, and Mr. George Wyllie, #8 Teel Court, also objected to the granting of the appeal. It was moved by Mutz, supported by Obrecht, that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance to relieve a practical difficulty due to present location of necessary facilities to serve the new addition.

Motion lost.

Motion carried.

It was then moved by Boucher, supported by Mutz, that the petition be tabled and that the Secretary be instructed to check with the Engineering Department regarding location of the easement for existing sewer through the property and to discuss with representatives of the Board of Education the possibility of constructing the addition 20 feet south of the proposed area.

Motion carried.

An appeal by Homer E. Gordon, Sr., to erect an addition to store building to 9 feet from rear line, the ordinance requiring a 25-foot rear yard, at 1137-39 S. Washington Ave., was considered. The petitioner was present and explained his plan pointing out the need for additional room in his store building. He also pointed out that he has not been able to acquire the present building which is 14.25 feet from the rear of his present store and that if such ownership were acquired he would be able to build to the rear property line. There were no objections. It was moved by Obrecht, supported by Boucher, that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty due to irregular shape of the lot.

Motion carried

An appeal by Mrs. E. Celentino to erect a vestibule on front of house extending

5 feet beyond set-back line but not further than present open porch at 922 W. Lapeer Street was considered. The petitioner was not present. There were no objections. It was moved by Boucher, supported by Mutz, that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

An appeal by Dr. Van Houten to erect an enclosed front porch beyond established set-back line but no further than present open porch at 722 N. Chestnut Street was considered. The petitioner was present. There were no objections. It was moved by Boucher, supported by Mutz, that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

It was moved by Boucher, supported by Mutz, that the meeting be recessed to Tuesday, November 13, 1956, at 4:00 P.M., to consider final action on the appeal of the School District of the City of Lansing.

Motion carried.

The meeting recessed at 8:40 P.M.

The recessed meeting of November 8, 1956, was called to order by the Chairman,

Lawrence E. McSherry, on Tuesday, November 13, 1956, at 4:00 P.M.

ROLL CALL

Present—Messrs. Boucher, McSherry, Mutz and Obrecht—4.

Absent—Mr. Taylor—1.

The Secretary reported on the location of the existing sewer through the Walter French Junior High School property and his conversation with Mrs. Doctor Randall, owner of property at 210 E. Mt. Hope Ave., and Mr. Lynn Kosht of the Lansing Board of Education. After considerable discussion, it was moved by Mutz, supported by Boucher, that the appeal by the School District of the City of Lansing to erect an addition to Walter French Junior High School to 18½ feet of the west property line, the ordinance requiring a 45-foot side yard at the S.W. corner of Mt. Hope and S. Cedar Street be granted subject to setting back the N. line of the proposed building 20 feet of the proposed line on the plan as shown on site plan and sheet index dated August 20, 1956, Sheet #1, Series #5608 by Warren Holmes Company for Walter French Junior High School, under (6) Section 21 of the Lansing Zoning Ordinance to relieve a practical difficulty due to present location of necessary facilities to serve the new addition.

Motion carried.

The meeting adjourned at 4:50 P.M.

VICTOR G. LEYRER,
Secretary.

OFFICIAL PROCEEDINGS OF The Board of Appeals OF THE CITY OF LANSING

Proceedings, December 5, 1956

December 5, 1956,

Hotel Olds,

Lansing, Michigan.

The members of the Board of Appeals met informally with the City Attorney, Joseph Lavey, at a luncheon meeting to discuss the letter of the City Attorney dated November 28, 1956. After considerable discussion, Chairman Lawrence McSherry called a special meeting to order at 2:15 P.M.

ROLL CALL

Present — Messrs. Boucher, McSherry, Mutz, Obrecht and Taylor—(5).

City Attorney—Joseph Lavey.

Absent—None.

It was moved by Taylor, supported by Mutz that the Board reconsider its action

of November 13, 1956 on Appeal No. 766 in view of the opinion from the City Attorney since the date of the decision.

Motion carried.

It was moved by Taylor, supported by Mutz, that the action of November 13, 1956, on Appeal No. 766 be rescinded and that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty due to present location of necessary facilities to serve the new addition, because of the necessity of a properly constructed school building in this area being a matter of public interest.

Motion carried.

The meeting adjourned at 2:35 P.M.

VICTOR G. LEYRER,
Secretary.

OFFICIAL PROCEEDINGS OF The Board of Appeals OF THE CITY OF LANSING

Proceedings, December 13, 1956

December 13, 1956,

City Hall Annex,
Lansing, Michigan.

The meeting was called to order by the Chairman, Lawrence E. McSherry, at 7:30 P. M.

ROLL CALL

Present: Messrs. McSherry, Mutz, Obrecht and Taylor—(4).

Absent—Mr. Boucher—(1).

The minutes of the regular meeting of November 8, 1956 and also the minutes of the special meeting of December 5, 1956 were approved.

An Appeal by James Demps to erect a glass enclosed front porch extending beyond established set-back line but no further than present open porch at 612 Birch Street was considered. The petitioner was present. There were no objections.

It was moved by Obrecht, supported by Mutz, that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

An Appeal by Julius Rosenau to erect a glass enclosed front porch extending beyond established set-back line but no further than present open porch at 233 Woodlawn Avenue, was considered. The petitioner was not present. There were no objections.

It was moved by Obrecht, supported by Mutz, that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

An Appeal by Bessie M. McCree to erect an addition to store building to use as a restaurant at 924 and 928 S. Pine Street was considered. The petitioner was present and stated that it would be impossible to rent as a grocery. The Board discussed the probable long range planning in this area. There were no objections.

It was moved by Mutz, supported by Taylor, that the appeal be granted under (7) Section 21 of the Lansing Zoning Ordinance, to relieve a hardship caused by inability to use present building or convert to a desirable residence.

Motion lost.

An Appeal by Mary Plocharczyk to erect an enclosed front porch extending beyond established set-back line but no further than present open porch at 1318 May Street was considered. The petitioner was present. There were no objections.

It was moved by Obrecht, supported by Mutz, that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

An Appeal by Erhart Braun to erect an enclosed front porch beyond set-back line but no further than present open porch at 801 E. Mt. Hope Avenue was considered. The petitioner was present. There were no objections.

It was moved by Mutz, supported by Taylor, that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

An Appeal by Loyd S. Kincaid to erect an addition to front of house to 20 feet 8 inches from front line at 505 Shepard

Street was considered. The petitioner was present. There were no objections.

It was moved by Mutz, supported by Obrecht, that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

An Appeal by Clyde L. Power to erect a vestibule on front of house beyond set-back line at 1615 S. Cedar Street was considered. The petitioner was present. There were no objections.

It was moved by Taylor, supported by Obrecht, that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty

as it will not adversely affect the adjoining properties.

Motion carried.

An Appeal by Jesse Korrey to erect an enclosed front porch beyond established set-back line but no further than present open porch at 1310 May Street was considered. The petitioner was present. There were no objections.

It was moved by Taylor, supported by Mutz, that the appeal be granted under (6) Section 21 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining properties.

Motion carried.

The meeting adjourned at 8:40 P. M.

VICTOR G. LEYRER,
Secretary.